

MINUTES
LICENSING COMMITTEE MEETING
TEXAS BOARD OF PROFESSIONAL ENGINEERS
1917 IH35 SOUTH, BOARD ROOM, AUSTIN, TX 78741
May 22, 2013— 1:00 PM

Call to Order. Lamberto “Bobby” Ballí, P.E., Committee Chair called the Licensing Committee meeting to order at 1:00 pm on May 22, 2013, at the Texas Board of Professional Engineers, 1917 South Interstate 35, Austin, TX 78741 (All votes are unanimous, unless otherwise noted).

1. Roll call and welcome visitors.

Lamberto “Bobby” Ballí, P.E.	Chair
Carry Ann Baker, J.D.	Member
Sam Kannappan, P.E.	Member

A quorum was present. Ms. Veena Mohan, Assistant Attorney General, was present to provide legal counsel to the Board. Mr. Edmundo Gonzalez, Jr., P.E., Emeritus Board Member, was present.

The following staff members were present:

Lance Kinney, P.E.	Executive Director
Priscilla Pipho, M.P.A.	Deputy Executive Director
David Howell, P.E.	Director of Licensing
Dewey Helmcamp, III J.D.	Staff Attorney
Dorothy Gonzales	Executive Assistant
Shannon Velazquez	Licensing Specialist

Personal Interviews. Jeremy Austin, Seth Bamesberger, Robert Chambers, Nicholas Dudley, Alberto Escobar, Jeremiah Frazier, Kenneth Jurado, Emily Lane, Wesley Shutter, Lucas Suelflow, Laurence Thomas, Patricia Trujillo, Caleb Warren, Andrew Weaver.

Visitors. Kent O’Brien, Texas Department of Transportation (TxDOT).

2. Public comment. None.

Discuss and Possibly Act on the Following (Agenda Items 3-7):

3. Discuss and possibly approve the February 13, 2013, Licensing Committee Minutes.

It was MOVED/SECONDED (Kannappan/Baker) to approve the February 13, 2013, Licensing Committee Minutes as submitted. A vote was taken and the MOTION PASSED.

4. Discuss and possibly act on applications for licensure: Personal Interviews:

Patricia Trujillo. This applicant applied to take the PE exam. She came before the Committee to appeal the denial of her application after it was circulated to Board members for review. Mr. Lance Kinney, P.E., Executive Director recused himself from any discussion regarding this applicant because he is acquainted with her. The Committee and applicant discussed her engineering experience, and application.

It was MOVED/SECONDED (Kannappan/Baker) to recommend to the Board at its Regular Quarterly Board meeting on May 23, 2013, to approve the applicant to take the PE exam after one additional year of experience is obtained. The application will be kept on Hold until that time. No additional application or appearance will be required. A vote was taken and the MOTION PASSED.

Jeremy Albert Austin. The applicant applied to take the PE exam. He came before the Committee due to an incident on his record. The Committee and applicant discussed his incident, experience, and lessons learned.

It was MOVED/SECONDED (Baker/Kannappan) to recommend to the Board at its Regular Quarterly Meeting on May 23, 2103, to approve the applicant to take the PE exam. A vote was taken and the MOTION PASSED.

Seth Jacob Bamesberger. The applicant applied to take the PE exam. He came before the Committee due to incidents on his record. The Committee and applicant discussed his incidents, experience, and lessons learned.

It was MOVED/SECONDED (Kannappan/Baker) to recommend to the Board at its Regular Quarterly Meeting on May 23, 2013, to approve the applicant to take the PE exam. A vote was taken and the MOTION PASSED.

Nicholas Paul Dudley. The applicant applied to take the PE exam. He came before the Committee due to an incident on his record. The Committee and applicants discussed his incident, experience, and lessons learned.

It was MOVED/SECONDED (Baker/Kannappan) to recommend to the Board at its Regular Quarterly Meeting on May 23, 2013, to approve the applicant to take the PE exam. A vote was taken and the MOTION PASSED.

Alberto E. Escobar-Forrest. The applicant applied to take the PE exam. He came before the Committee due to an incident on his record. The Committee and applicant discussed his incident, experience, and lessons learned.

It was MOVED/SECONDED (Baker/Kannappan) to recommend to the Board at its Regular Quarterly Meeting on May 23, 2013, to approve the applicant to take the PE exam once he has shown that all court requirements have been met by providing the proper documentation to staff. A vote was taken and the MOTION PASSED.

Kenneth Igor Jurado. The applicant applied to take the PE exam. He came before the Committee due to an incident on his record. The Committee and applicant discussed his incident, experience, and lessons learned.

It was MOVED/SECONDED (Kannappan/Baker) to recommend to the Board at its Regular Quarterly Meeting on May 23, 2013, to approve the applicant to take the PE exam. A vote was taken and the MOTION PASSED.

Wesley J. Shutter. The applicant applied to take the PE exam. He came before the Committee due to an incident on his record. The Committee and applicant discussed his incident, experience, and lessons learned. Mr. Ballí asked the applicant for a copy of his statement to share all or part with future applicants. Mr. Shutter agreed.

It was MOVED/SECONDED (Baker/Kannappan) to recommend to the Board at its Regular Quarterly Meeting on May 23, 2013, to approve the applicant to sit for the PE exam. A vote was taken and the MOTION PASSED.

Caleb Thomas Warren. The applicant applied to take the PE exam. He came before the Committee due to incidents on his record. The Committee and applicant discussed his incidents, experience, and lessons learned.

It was MOVED/SECONDED (Kannappan/Baker) to recommend to the Board at its Regular Quarterly Board meeting on May 23, 2013, to approve the applicant to take the exam. A vote was taken and the MOTION PASSED.

Andrew Ryan Weaver. The applicant applied to take the PE exam. He came before the Committee due to incidents on his record. The Committee and applicant discussed his incidents, experience, lessons learned, and ethic courses.

It was MOVED/SECONDED (Kannappan/Baker) to recommend to the Board at its Regular Quarterly Meeting on May 23, 2013, to approve the applicant to take the PE exam after he has taken and successfully completed

the Ethics Level I course from the National Institute of Engineering Ethics at Texas Tech and provided documentation to staff. The applicant does not have to appear before the Committee again. A vote was taken and the MOTION PASSED.

Jeremiah Daniel Frazier. The applicant applied for licensure in Texas. He came before the Committee due to incidents on his record. The Committee and applicant discussed his incidents, experience, and lessons learned.

It was MOVED/SECONDED (Baker/Kannappan) to recommend to the Board at its Regular Quarterly Meeting on May 23, 2013, to approve the applicant to be licensed in Texas. A vote was taken and the MOTION PASSED.

Robert K. Chambers. The applicant applied to take the PE exam. He came before the Committee due to an unreported incident on his record. The Committee and applicant discussed his incident, the reason he didn't report the incident on the application, experience, lessons learned, and ethic courses.

It was MOVED/SECONDED (Baker/) to recommend to the Board at its Regular Quarterly Meeting on May 23, 2013, to allow the applicant to sit for the exam after taking and successfully completing Ethics Level II course from the National Institute of Engineering Ethics at Texas Tech and providing documentation to staff. He does not have to reappear before the Committee. The MOTION FAILED lack of a SECOND.

It was MOVED/SECONDED (Baker/Kannappan) to recommend to the Board at its Regular Quarterly Meeting on May 23, 2013, to allow the applicant to sit for the exam after taking and successfully completing Ethics Level II course from the National Institute of Engineering Ethics at Texas Tech and providing documentation plus submitting additional supplemental experience earned between time of application and the completion of the ethics course to staff. A vote was taken and the MOTION PASSED.

The Chair recessed at 3:00 pm.

The Chair reconvened at 3:17 pm.

Lucas W. Seulflow. The applicant applied to take the PE exam. He came before the Committee due to an unreported incident on his record. The Committee and applicant discussed his incident, the reason he didn't report the incident on the application, experience, lessons learned, and ethics courses.

It was MOVED/SECONDED (Kannappan/) to recommend to the Board at its Regular Quarterly Meeting on May 23, 2013, to approve the applicant to take the PE exam after taking, and successfully completing the Ethics I Level Course. The MOTION FAILED for lack of a SECOND.

It was MOVED/SECONDED (Baker/Kannappan) to recommend to the Board at its Regular Quarterly Meeting on May 23, 2013, to approve the applicant to take the PE exam after taking and successfully completing the Ethics Level II course from the National Institute of Engineering Ethics at Texas Tech and providing documentation to staff. The applicant does not have to reappear before the Committee. A vote was taken and the MOTION PASSED.

Laurence J. Thomas. The applicant applied to take the PE exam. He came before the Committee due to incidents on his record. The Committee and applicant discussed his incidents, the reason he did not report one of the incidents, experience, lessons learned, and ethics courses.

It was MOVED/SECONDED (Baker/Kannappan) to recommend to the Board its Regular Quarterly Meeting on May 23, 2013, the applicant to take and successfully complete the Ethics Level III course from the National Institute of Engineering Ethics at Texas Tech and appear before the Committee at a subsequent meeting. A vote was taken and the MOTION PASSED.

Emily Layne Lane. The applicant applied to take the PE exam. She came before the Committee due to an incident on her file. The Committee and applicant discussed her incident, experience, and lessons learned. The applicant has not completed the court requirements.

It was MOVED/SECONDED (Baker/Kannappan) to recommend to the Board to deny the applicant's application until she has completed the court requirements. A vote was taken and the MOTION PASSED.

5. **Report on Computer Based Testing.** Mr. Kinney reported that that the Fundamentals of Engineering (FE) and the Fundamentals of Surveying (FS) exams will be offered via Computer Based Testing (CBT) beginning January 2014. The exam fee will increase. Due to a change in the registration process, the board will only get information on applicants that passed the exam. There are testing centers all over the United States; Texas has 28 testing centers. The Board will be proposing rule changes in August to include CBT. To avoid confusion with the paper-and-pencil October exams, information on CBT will be released after the October exam. Information will be shared with the TBPE Advisory Committee meetings at the end of the month. Registration for the January 2014 exams opens November 4, 2013.

6. **Licensing Director's Report.**

- **Reports.**
 - **Results and statistics: Application and Examination Report.** Mr. Howell reviewed the statistical report included as an exhibit with Committee members.
 - **Possible TBPE rule changes due to 83rd Legislature Session.** Mr. Howell reviewed the summary of rules changes the Board will be proposing at the August meeting. Rules must be adopted by December 1, 2013.
 - **Licensing report.** Mr. Howell reported that staff is preparing to address any question that will result from the proposed rule changes.
 - **Exam Irregularity.** Mr. Howell reported that there were two persons banned for 2 years from taking the exam. NCEES called him to inform him that there were 2 pairs of examinees that will require investigation from the April 2013 exam administration.

7. **Issues for consideration and schedule next meeting.** None.

Adjourn.

It was MOVED/SECONDED (Baker/Kannappan) to adjourn the meeting at 4:47 pm. A vote was taken and the MOTION PASSED.

Date Committee approved as submitted: August 28, 2013
Date Board accepted: August 29, 2013